

DEPARTMENT OF THE INTERIOR
UNITED STATES RECLAMATION SERVICE

WASHINGTON, D. C.

December 22, 1909.

OFFICE OF THE DIRECTOR

The Honorable,

The Secretary of the Interior

Sir:



In the bill H. R. 14560 for the admission of New Mexico and Arizona as States there is a provision in regard to each of the States in Sections 10 and 27 that the lands granted to the States which shall be susceptible of irrigation by any waters "from any project completed or in course of construction by the United States" under the Reclamation Act shall not be disposed of at a price less than \$25 per acre.

The purpose to be accomplished by this legislation would doubtless include the application of the same rule to lands involved in projects hereafter undertaken and it is therefore suggested that the Department call attention of the Committee on the Territories to this fact in order that the bill may be made applicable to lands granted which shall be susceptible of irrigation under any project hereafter undertaken.

In connection with the Salt River Project, Arizona there has been some correspondence with the Department in regard to lands controlled by the Territory under its school grant and which are to be flooded by the Roosevelt reservoir. The matter has been considered by the Department on several occasions in connection with the lands held under lease from the Territory by

Messrs. Shute and Plunkett and others, in connection with which reference is made to opinion of the Assistant Attorney General under date of October 19, 1905, approved by the Secretary in the matter of lands held under lease by George E. Shute.

It would seem desirable that the States be allowed to release to the United States the lands needed for irrigation works in connection with any project under the Reclamation Act and to select other lands in lieu thereof.

For that purpose it is recommended that a further suggestion be made to the committee for the addition to said sections 10 and 27 of a proviso to the following effect:

"Provided further, That where any lands heretofore granted to the State are needed for irrigation works in connection with any projects under the said Act of June 17, 1902, the State may relinquish the same to the United States and select other lands of equal area in lieu thereof, under such rules and regulations as may be prescribed by the Secretary of the Interior."

Very respectfully,


Director.

K.M.T.

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S. W. W.

January 4, 1910

✓ *J.M.B.*
Hon. William E. Borah,
United States Senate.

My dear Senator:

Referring to my letter of December 11, 1909, submitting a report on the bill providing for the admission of New Mexico and Arizona, I have the honor to recommend that the following proviso be inserted in section eleven, relative to New Mexico, and section twenty-nine, relative to Arizona, namely:

Provided further, That where any lands herein or heretofore granted to the State are needed for irrigation works in connection with any projects under the said act of June seventeen, nineteen hundred and two, the State may relinquish the same to the United States, and, with the approval of the Secretary of the Interior, select other lands of equal area in lieu thereof.

It is believed that this will afford a method mutually satisfactory to the United States and the proposed States, whereby the government may expeditiously acquire title to land in irrigation projects, which are needed for construction purposes.

A similar letter has been sent to the House Committee on the Territories.

Very respectfully,

R. B. Ballinger
Secretary.

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